

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |            |
|---------------------------|---|------------|
| UNITED STATES OF AMERICA, | ) |            |
|                           | ) |            |
| Plaintiff,                | ) | 4:08CR3067 |
|                           | ) |            |
| V.                        | ) |            |
|                           | ) |            |
| GARY ZIERKE JR.,          | ) | ORDER      |
|                           | ) |            |
| Defendant.                | ) |            |
| _____                     | ) |            |

IT IS ORDERED that the defendant's motion to appoint counsel and to reinstate direct appeal (filing 215) is denied.

DATED this 18<sup>th</sup> day of October, 2011.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge